



Ninety-Seventh Legislature - First Session - 2001
Introducer's Statement of Intent
LB 274

Chairperson: Senator Curt Bromm
Committee: Transportation and Telecommunications
Date of Hearing: March 12, 2001

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The intent of LB 274 is to increase the minimum and maximum fines levied against a railroad company when freight or passenger cars, locomotives, or other rolling stock block a public highway, street, alley, or road for ten minutes or longer. Under current state law, the obstruction of any public highway, street, or alley that is located within any unincorporated town or village by car(s), engine(s), or other rolling stock for ten minutes or longer consists of a minimum fine of ten dollars with a maximum fine of one-hundred dollars against the offending railroad company (Neb Rev. Stat. § 17-225, 1997 Reissue). LB 274 seeks to increase the minimum fine to one-thousand dollars with a maximum fine of ten-thousand dollars with regards to the excessive blocking of a railroad crossing. The proposal also attempts to expand the application of such fines to those jurisdictions as stated by the provisions of the bill.

LB 274 would apply to cities of the first and second class, villages, and any road functionally classified as an interstate, expressway, major arterial, scenic-recreation, other arterial, or collector. The bill further states that this section shall not apply to any member of a train crew, yard crew, or locomotive crew upon reasonable proof that the occupying or blocking of the public highway, street, alley, or classified road in question was necessary to comply with orders or instructions, either written or oral, of his or her employer or officers or supervisory officials of the responsible entity.

The enactment of LB 274 into state law would update an antiquated statute to address current rail crossing issues while also providing necessary and relevant enforcement penalties for excessive blocking actions.

Principal Introducer: _____
Senator Roger R. Wehrbein